

Honolulu, Hawaii

FEB 19 2015

RE: S.B. No. 1166
S.D. 1

Honorable Donna Mercado Kim
President of the Senate
Twenty-Eighth State Legislature
Regular Session of 2015
State of Hawaii

Madam:

Your Committee on Hawaiian Affairs, to which was referred
S.B. No. 1166 entitled:

"A BILL FOR AN ACT RELATING TO THE PENAL CODE,"

begs leave to report as follows:

The purpose and intent of this measure is to amend the penal code to allow for the treatment of a corpse consistent with traditional Hawaiian cultural customs and practices.

Your Committee received testimony in support of this measure from the Ko'olaupoko Hawaiian Civic Club, Ko'olau Foundation, and three individuals. Your Committee received comments on this measure from the Office of Hawaiian Affairs and the Center for Hawaiian Sovereignty Studies.

Your Committee finds that this measure is necessary to clarify confusion about whether the use of traditional Hawaiian customs and practices to prepare human remains for burial or cremation and the burial or cremation of a corpse prepared consistent with those customs and practices violate the law.

Your Committee has amended this measure by inserting language to clarify that:

- (1) The preparation of a corpse consistent with traditional Hawaiian customs and practices; and

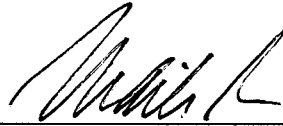


- (2) The burial or cremation of a corpse prepared in a manner consistent with traditional Hawaiian customs and practices,

are not a violation of section 711-1108, Hawaii Revised Statutes.

As affirmed by the record of votes of the members of your Committee on Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1166, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1166, S.D. 1, and be referred to the Committee on Judiciary and Labor.

Respectfully submitted on
behalf of the members of the
Committee on Hawaiian Affairs,



MAILE S.L. SHIMABUKURO, Chair



Record of Votes
Committee on Hawaiian Affairs
HWN

*Only one measure per Record of Votes